

Date: December 2, 2014

To: Thomas J. Bonfield, City Manager
Through: W. Bowman Ferguson, Deputy City Manager
From: Marvin G. Williams, Director of Public Works
Subject: U-0071 East End Connector CSX Railroad Permit

Executive Summary

The North Carolina Department of Transportation (NCDOT) has prepared and adopted plans to construct the East End Connector project from NC 98 (Holloway Street) to NC 147 (Buck Dean Parkway) under Project U-0071. See Attachment B for a map of the project limits. The project requires the relocation of existing City of Durham water utilities that are within the project boundaries and for which the City is financially responsible to relocate. The relocation work will be performed by the contractor for NCDOT. The City will reimburse NCDOT for the cost of the utility relocation work which is defined in a previously executed Utility Agreement. Part of the utility work occurs within the CSX Transportation, Inc. Right of Way and permits (Attachment A) are required. Railroad permits must be approved by the City Council under current signature authority arrangements.

Recommendation

The Administration recommends that the City Council authorize the City Manager to execute an Encroachment Agreement and a Railroad Permit with CSX Transportation, Inc. for the relocation of City water utilities associated with the East End Connector project (U-0071).

Background

The East End Connector project is part of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization's adopted Long Range Transportation Plan and Transportation Improvement Program. The purpose of the project is to improve the capacity on NC 147 (Buck Dean Parkway) and US 70 and to improve connectivity between these high speed routes which provide direct access to I-40 to the south, and I-85 to the north. A federal environmental assessment was conducted by NCDOT with extensive public engagement and input. Final environmental approval was issued by the Federal Highway Administration on December 20, 2011. Right of Way acquisition and utility relocation are underway and construction clearing has begun.

There are City of Durham water utilities located within the boundaries of the project. Utility agreements with NCDOT are required and are already in place. Additional permits are required when the utilities are also located within a railroad right of way. This project requires two railroad permits; the first one with Norfolk Southern Railway was previously approved on August 4, 2014.

Issues/Analysis

The project will require the relocation and adjustment of City utilities located within NCDOT right-of-way. The related costs, terms and conditions for the municipal utility relocation

were covered in a previously executed NCDOT Utility Agreement that was approved on March 20, 2014.

Alternatives

The Council can choose to authorize the City Manager to execute the Railroad Permit. The Council can choose to not authorize the Manager to approve the Railroad Permit in which case the proposed NCDOT project will not be able to move forward.

Financial Impact

The fees associated with this request will be processed under the department's approval. Expenses for the utility relocation are already encumbered as a part of the previously executed Utility Agreement with NCDOT.

SDBE Requirements

This section is not applicable to the item.